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Filing date: **02/14/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91191056
Party	Plaintiff White Rock Distilleries, Inc.
Correspondence Address	DANIEL I SCHLOSS GREENBERG TRAURIG, LLP 200 PARK AVENUE, 34TH FLOOR NEW YORK, NY 10166 UNITED STATES schlossd@gtlaw.com
Submission	Testimony For Plaintiff
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Date	02/14/2011
Attachments	Reidl ex part 3c.pdf (30 pages)(1589994 bytes)

PAUL W. REIDL



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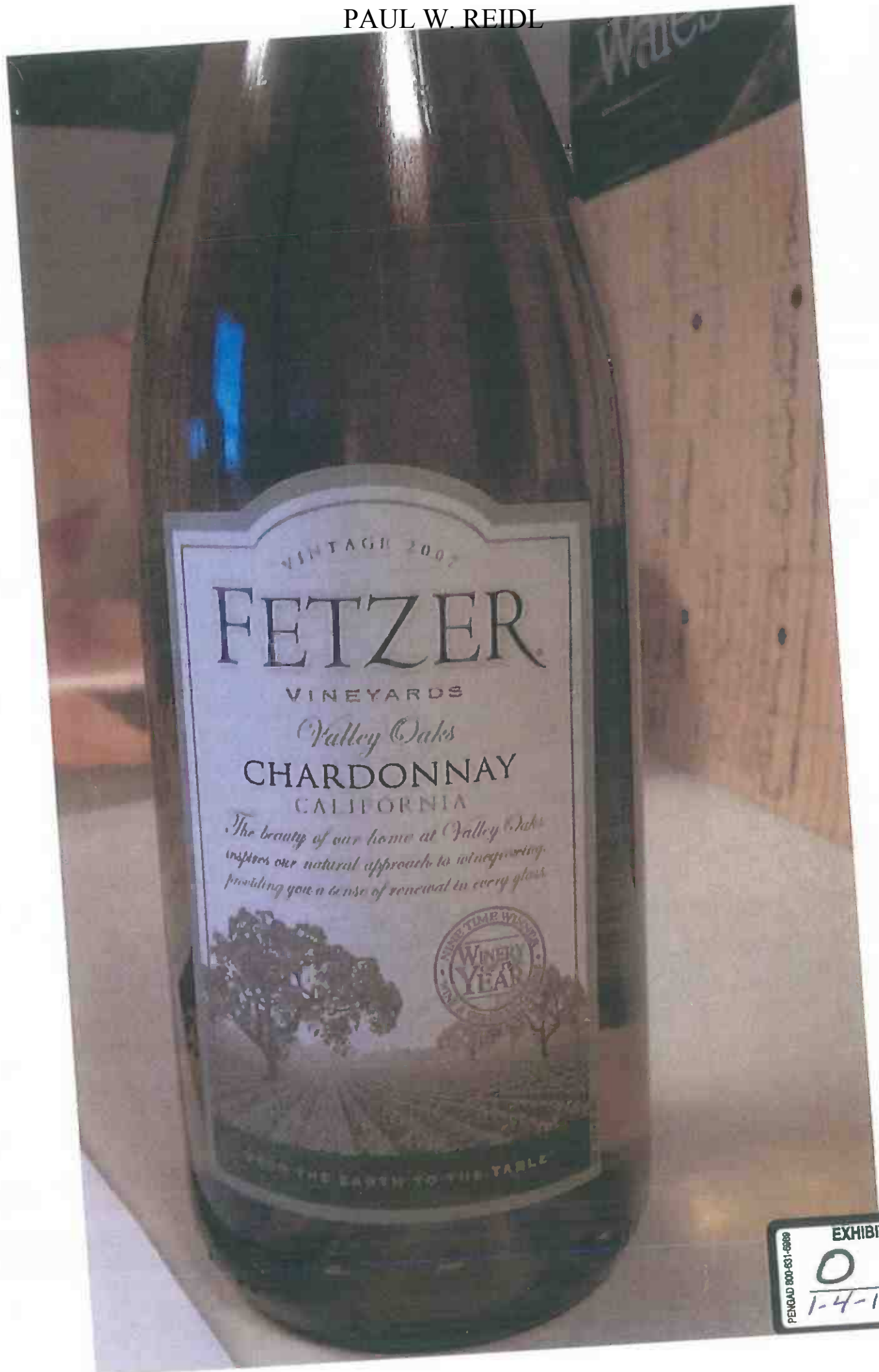
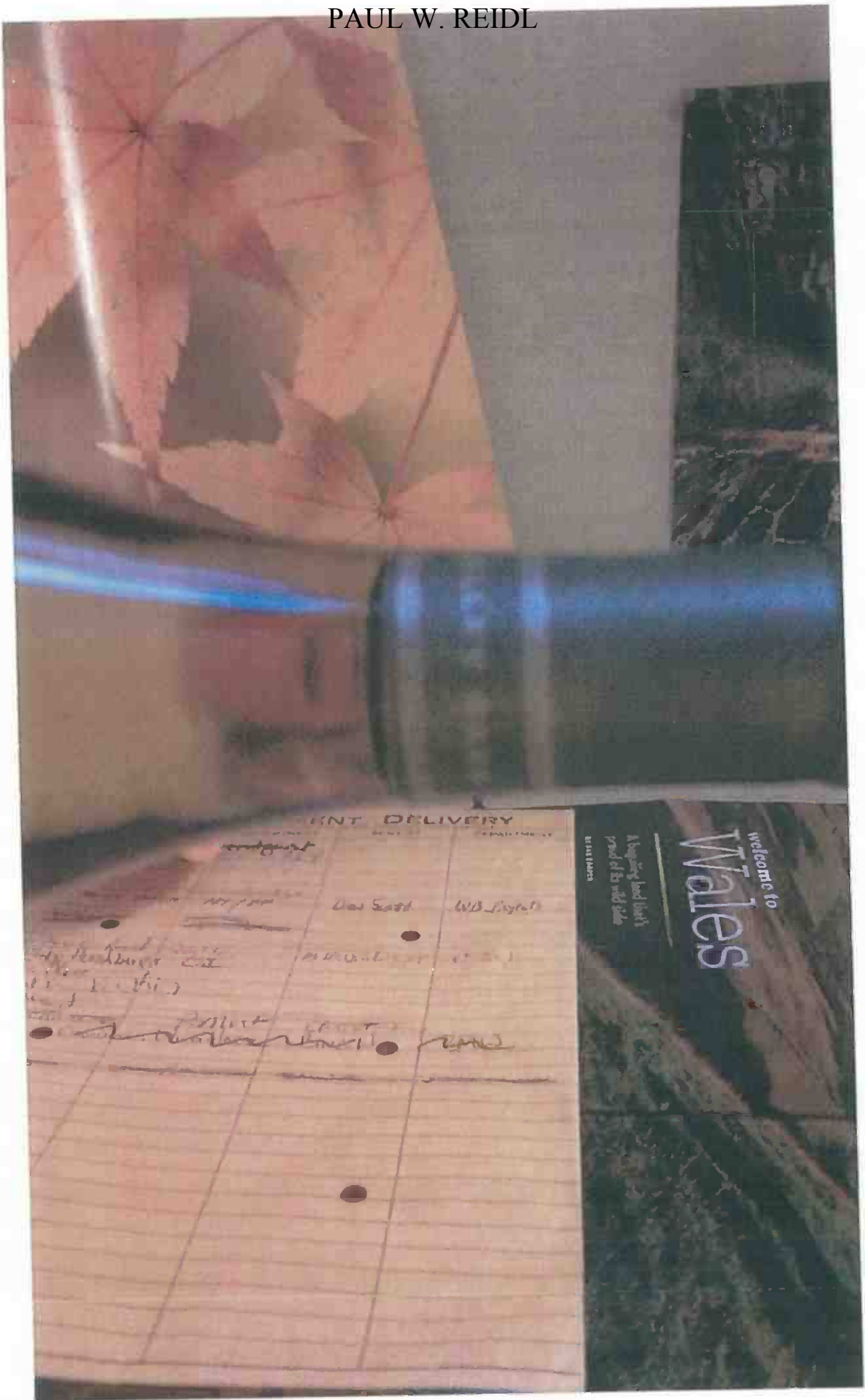


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FETZER

Valley Oaks

There's nothing like a new vintage. I recall why I enjoy
making wine. Starting fresh each spring energizes me. My sense
of personal reward comes in your popular Chardonnay. It's
a wine with a melon-like body, full of easy-to-remember fruit of
apple, pear and tropical flavors. So when the day is here, I like
to relax and refresh with good friends. Our Chardonnay is
always around.

Wine is a *Feetzer* by name and taste.
It's a wine that's made with care and
attention to detail. Every bottle is
crafted with the same passion and
dedication.

Ann

CHARDONNAY
FETZER

DISCLAIMER: DRINKING IS ACCORDING TO THE SUGAR LEVEL.
DRINK RESPONSIBLY. DRINK ALCOHOL RESPONSIBLY. DRINK
RESPONSIBLY. DRINK RESPONSIBLY. DRINK RESPONSIBLY.
CONSUMPTION OF ALCOHOL BEVERAGES MAY BE AFFECTED BY
THE USE OF CERTAIN MEDICATIONS AND MAY CAUSE HEADACHE.

WINE & SPIRITS
BY FETZER
FROM THE FETZER
CALIFORNIA
WINE COMPANY



PAUL W. REIDL





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[HELP](#)
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[PREV DOC](#)
[NEXT DOC](#)
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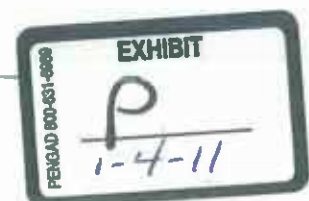
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[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
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Typed Drawing

Word Mark VALLEY OAKS
Goods and Services IC 033, US 047, G & S: wine, FIRST USE: 19841200, FIRST USE IN COMMERCE: 19841200
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74199330
Filing Date August 29, 1991
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition May 5, 1992
Registration Number 1703603
Registration Date July 28, 1992
Owner (REGISTRANT) FETZER VINEYARDS CORPORATION CALIFORNIA 12901 Old River Road Hopland CALIFORNIA 95449
Attorney of Record DAVID S GOODER
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15, SECT 8 (6-YR), SECTION 8(10-YR) 20020930.
Renewal 1ST RENEWAL 20020930
Live/Dead Indicator LIVE

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[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
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[SEARCH OG](#)
[Top](#)
[HELP](#)
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[NEXT LIST](#)
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[PREV DOC](#)
[NEXT DOC](#)
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[Previous Page](#)[Next Page](#)

You are currently on page 1 of 1



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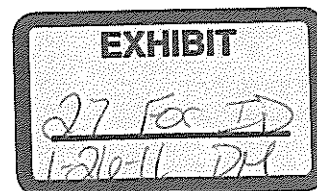
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Typed Drawing

Word Mark	LIBERTY CREEK
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 20020617. FIRST USE IN COMMERCE: 20020617
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78048737
Filing Date	February 16, 2001
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	December 11, 2001
Registration Number	2644554
Registration Date	October 29, 2002
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 Yosemite Boulevard Modesto CALIFORNIA 95354
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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(Use the "Back" button of the Internet Browser to return to TESS)
**SOLA VISTA
VINEYARDS**

Word Mark	SOLA VISTA VINEYARDS
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 20040603. FIRST USE IN COMMERCE: 20040603
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78382341
Filing Date	March 11, 2004
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	November 16, 2004
Registration Number	3038394
Registration Date	January 3, 2006
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Attorney of Record	PAUL W. REIDL
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VINEYARDS" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE


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FIRST DOC	PREV DOC	NEXT DOC	LAST DOC							

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[Start](#) | List At: OR [Jump](#) to record: **Record 134 out of 620**

TARR Status	ASSIGN Status	TDR	TTAB Status
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(Use the "Back" button of the Internet Browser to return to TESS)
Typed Drawing

Word Mark	WYALLA COVE
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 20040401. FIRST USE IN COMMERCE: 20040401
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78315373
Filing Date	October 17, 2003
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	August 17, 2004
Registration Number	2927054
Registration Date	February 15, 2005
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Attorney of Record	PAUL W. REIDL
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Typed Drawing

Word Mark PONT D' AVIGNON
Translations The foreign wording in the mark translates into English as the "bridge of Avignon".
Goods and Services IC 033. US 047 049. G & S: Alcoholic beverages, namely wines. FIRST USE: 20050211.
FIRST USE IN COMMERCE: 20050211
Mark Drawing Code (1) TYPED DRAWING
Serial Number 78213467
Filing Date February 11, 2003
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition January 6, 2004
Registration Number 3090900
Registration Date May 9, 2006
Owner (REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Attorney of Record PAUL W REIDL
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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[Start](#) | [List At:](#) OR [Jump](#) | to record: **Record 173 out of 620**

[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark WHISTLE CREEK
 Goods and Services IC 033. US 047 049. G & S: WINES. FIRST USE: 20050211. FIRST USE IN COMMERCE: 20050211
 Mark Drawing Code (1) TYPED DRAWING
 Serial Number 78147892
 Filing Date July 26, 2002
 Current Filing Basis 1A
 Original Filing Basis 1B
 Published for Opposition February 11, 2003
 Registration Number 2968082
 Registration Date July 12, 2005
 Owner (REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
 Type of Mark TRADEMARK
 Register PRINCIPAL
 Live/Dead Indicator LIVE

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[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

[NEXT LIST](#)
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[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

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[Start](#) | List At: OR [Jump](#) to record: **Record 373 out of 620**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
 (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	RHINE PEAK
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 19990304. FIRST USE IN COMMERCE: 19990304
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75605642
Filing Date	December 14, 1998
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	August 24, 1999
Registration Number	2373924
Registration Date	August 1, 2000
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 Yosemite Boulevard Modesto CALIFORNIA 95354
Attorney of Record	Paul W. Reidl
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RHINE" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
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[SEARCH OG](#)
[TOP](#)
[HELP](#)
[PREV LIST](#)
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[PREV DOC](#)
[NEXT DOC](#)
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[NEW USER](#)
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[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

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Start [List At:](#) OR [Jump](#) to record: **Record 336 out of 620**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
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Typed Drawing

Word Mark RANCHO ZABACO
Translations The term "RANCHO" translated to "ranch". The term "ZABACO" is a coined expression and has not translation.
Goods and Services IC 033. US 047 049. G & S: WINES. FIRST USE: 19980826. FIRST USE IN COMMERCE: 19980826
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75509436
Filing Date June 26, 1998
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition December 29, 1998
Registration Number 2288298
Registration Date October 19, 1999
Owner (REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 Yosemite Boulevard Modesto CALIFORNIA 95354
Attorney of Record KRISTI WHALEN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090813.
Renewal 1ST RENEWAL 20090813
Live/Dead Indicator LIVE

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[TOP](#)
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[CURR LIST](#)



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[CURR LIST](#)

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[Start](#) | List At: OR [Jump](#) to record: **Record 281 out of 620**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
 (Use the "Back" button of the Internet Browser to return to TESS)

COPPER RIDGE

Word Mark	COPPER RIDGE
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 20080609. FIRST USE IN COMMERCE: 20080721
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77694057
Filing Date	March 18, 2009
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	June 16, 2009
Registration Number	3676447
Registration Date	September 1, 2009
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Prior Registrations	1846317
Type of Mark	TRADEMARK
Register	PRINCIPAL
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Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help

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Word Mark GOSSAMER BAY
Goods and Services (CANCELLED) IC 033. US 047 049. G & S: wines. FIRST USE: 19960503. FIRST USE IN COMMERCE: 19960503
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 03.23.01 - Butterflies; Moths
05.03.25 - Leaf, single; Other leaves
26.11.02 - Plain single line rectangles; Rectangles (single line)
Serial Number 75238730
Filing Date February 10, 1997
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition October 7, 1997
Registration Number 2125720
Registration Date December 30, 1997
Owner (REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 Yosemite Boulevard Modesto CALIFORNIA 95354
Description of Mark The stippling is for shading purposes only and does not indicate color.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator DEAD

PAUL W. REIDL

Cancellation Date October 4, 2008

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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TARR Status	ASSIGN Status	TDR	TTAB Status
-----------------------------	-------------------------------	---------------------	-----------------------------

 (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark	BARRELLI CREEK
Goods and Services	IC 033, US 047 049, G & S: wines. FIRST USE: 19970109. FIRST USE IN COMMERCE: 19970117
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75075011
Filing Date	March 19, 1996
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	January 28, 1997
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	2093672
Registration Date	September 2, 1997
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 Yosemite Boulevard Modesto CALIFORNIA 95354
Attorney of Record	PAUL W. REIDL
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15, SECT 8 (6-YR), SECTION 8(10-YR) 20070918.
Renewal	1ST RENEWAL 20070918
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DCT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
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[Start](#)
List At: OR [Jump](#) to record: **Record 492 out of 620**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
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Typed Drawing

Word Mark	REDWOOD GROVE
Goods and Services	IC 033. US 047. G & S: wine. FIRST USE: 19900500. FIRST USE IN COMMERCE: 19900500
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74267944
Filing Date	April 21, 1992
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	September 8, 1992
Registration Number	1736942
Registration Date	December 1, 1992
Owner	(REGISTRANT) European Beverage Company, Inc. CORPORATION CALIFORNIA 9140 Owensmouth Avenue Chatsworth CALIFORNIA 91311
	(LAST LISTED OWNER) E. & J. GALLO COMPANY CORPORATION BY ASSIGNMENT, BY ASSIGNMENT, BY ASSIGNMENT CALIFORNIA 600 YOSEMITE BOULEVARD P.O. BOX 1130 MODESTO CALIFORNIA 95354
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	GERRY GLASGOW
Type of Mark	TRADEMARK

Register PRINCIPAL
 Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20030220.
 Renewal 1ST RENEWAL 20030220
 Live/Dead Indicator LIVE

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Quail Mountain

Word Mark	QUAIL MOUNTAIN
Goods and Services	(EXPIRED) IC 033, US 047. G & S: WINES. FIRST USE: 19720202. FIRST USE IN COMMERCE: 19720202
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	72415595
Filing Date	February 14, 1972
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	0954577
Registration Date	March 6, 1973
Owner	(REGISTRANT) E. & J. GALLO WINERY DBA BOONE'S FARM CORPORATION CALIFORNIA 600 YOSEMITE BLVD. MODESTO CALIFORNIA 95353
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	DEAD

PAUL W. REIDL



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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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TARR Status	ASSIGN Status	TDR	TTAB Status
-----------------------------	-------------------------------	---------------------	-----------------------------

 (Use the "Back" button of the Internet Browser to return to TESS)

MOUNT PEAK WINERY

Word Mark	MOUNT PEAK WINERY
Goods and Services	IC 033. US 047 049. G & S: WINES
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78946800
Filing Date	August 7, 2006
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	January 16, 2007
Owner	(APPLICANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Attorney of Record	KRISTI WHALEN
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "winery" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 (Use the "Back" button of the Internet Browser to return to TESS)

STARBOROUGH

Word Mark	STARBOROUGH
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 20080304. FIRST USE IN COMMERCE: 20080304
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78628153
Filing Date	May 11, 2005
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	January 31, 2006
Registration Number	3428177
Registration Date	May 13, 2008
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Attorney of Record	PAUL W. REIDL
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

PAUL W. REIDL



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TARR Status	ASSIGN Status	TDR	TTAB Status
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 (Use the "Back" button of the Internet Browser to return to TESS)

SEBEKA

Word Mark	SEBEKA
Goods and Services	IC 033. US 047 049. G & S: WINES. FIRST USE: 20070115. FIRST USE IN COMMERCE: 20070115
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78841599
Filing Date	March 20, 2006
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	October 24, 2006
Registration Number	3292133
Registration Date	September 11, 2007
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 YOSEMITE BOULEVARD MODESTO CALIFORNIA 95354
Attorney of Record	PAUL W. REIDL
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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TARR Status	ASSIGN Status	TDR	TTAB Status
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 (Use the "Back" button of the Internet Browser to return to TESS)

WHITEHAVEN

Word Mark	WHITEHAVEN
Goods and Services	IC 033. US 047 049. G & S: Wines. FIRST USE: 19970724. FIRST USE IN COMMERCE: 19970724
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78793293
Filing Date	January 17, 2006
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	August 22, 2006
Registration Number	3168720
Registration Date	November 7, 2006
Owner	(REGISTRANT) E. & J. GALLO WINERY CORPORATION CALIFORNIA 600 Yosemite Boulevard Modesto CALIFORNIA 95354
Attorney of Record	PAUL W. REIDL
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE